

SAMPLE LETTER FOR 6 MONTH DEFERRAL PERIOD OF TERMINATION OF  
HOUSING BENEFITS DUE TO INELIGIBLE IMMIGRATION STATUS

Dear Tenant:

The Department of Housing and Urban Development now requires that current Section 8 participants have eligible immigration status. Because not all of your family members have eligible immigration status, you are eligible for pro-rated Section 8 assistance. (Break down what their payments would be if pro-rated.) If you choose not to accept pro-rated assistance, then the termination of your benefits will be deferred for a period of six months to enable you to pursue eligible immigration status with the Immigration and Naturalization Service (INS). If you do not attempt to receive eligible immigration status within that six month period of time, your Section 8 benefits will be terminated.

You are entitled to request an appeal from the INS if you believe that the verification of your immigration status is incorrect. If you do not decide to appeal to the INS, then you are entitled to an informal hearing through the Housing Agency of the decision to defer the termination of your benefits. You must notify the Housing Agency in writing of your decision to either pursue an appeal through the INS or request an informal hearing from the Housing Agency, in writing, within ten days of the date of this letter. If you do not request a hearing, then the six month period for the deferral of termination of Section 8 benefits shall begin on (insert date). You will have until (insert date) to pursue eligible immigration status with the INS.

If you have questions regarding how to find other affordable housing, please contact me at ###-####.

Sincerely,

Housing Agency Representative